

**REMARKS**

By this amendment, the Applicants delete claims 1-15 and add claims 16-31 for examination.

Claims 1-3, 12 and 15 are rejected under 35 U.S.C. § 102(b) as being anticipated by Koyama et al. (U.S. Patent 5,428,285).

Claims 4-11, 13 and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Koyama as applied to claims 1-3, in further view of Yutkowitz (U.S. Patent 6,198,246).

The above rejections are moot since these claims have been deleted and new claims 16-31 added for examination.

***Formal Matters***

The Applicants filed a Request for Corrected Official Filing Receipt on October 5, 2001. However, the Applicants have not received a corrected OFR with the corrections requested for. Kindly, provide the Applicants with a corrected OFR.

***Rejections based on Prior Art***

General comments distinguishing the present invention from Koyama is presented below.

The present invention requires a simulator section. Further, the simulator section is required to have a position instruction generator for providing a real position instruction. Also required is a numerical model that simulates the machine system and provides a simulation quantity of state based on a torque signal. A simulation controller is required that provides the numerical model with a simulation torque signal based on the quantity of state, a simulation control parameter and a first simulation position instruction signal. Still further, an evaluation

portion is required that provides a real control parameter, a simulation control parameter and a first simulation position signal based on the real position instruction and the simulation quantity of state.

The Applicants respectfully submit that Koyama does not disclose a simulation section that includes at least the combination of features noted above. In relation to the presently rejected (now deleted) claims, the Examiner incorrectly contends that the simulation section reads on the mechanical system simulating circuit 6a of Koyama. The Applicants respectfully submits that the mechanical system simulating circuit of Koyama is completely different from and serves a completely different purpose than the simulation section of the present invention. Specifically it does not include the combination of features discussed above. Notably, the mechanical system simulating circuit 6a includes only two integrators 27 and 28 and associated input and output terminals (Koyama Fig. 4 and 8:33-40).

The system disclosed in Koyama is aimed at avoiding the vibrations produced by mechanical resonance (Koyama 9:57-66). To achieve this objective, Koyama provides the mechanical system simulating circuit that uses the two integration elements 27 and 28. The integration element 27 provides a simulated speed signal based on a torque signal. The integrator 28 in turn integrates the simulated speed signal and provides a simulated rotational angle signal. The moment of inertia of the mechanical system is also used in the calculations (Koyama 9:65- 10:14). The mechanical system simulating circuit, at best, approximates the torque transmission characteristics of the mechanical system to ideal conditions disregarding mechanical resonance (Koyama 10:16-18). In the passage cited by the Examiner, namely 37:48-

52 of Koyama, it is merely disclosed that the simulated speed signal, simulated rotation angle signal and the simulated torque signal are provided.

However, there is no disclosure (or suggestion) in Koyama that the simulation circuit has a real position instruction generator that generates a real position instruction. Further, Koyama does not disclose (or suggest) the numerical model that simulates the machine system provides a simulation quantity of state based on a torque signal. Further, there is no disclosure of a simulation controller that provides the numerical model with a simulation torque signal based on the quantity of state, a simulation control parameter and a first simulation position instruction signal. Still further, Koyama does not disclose an evaluation portion that provides a real control parameter, a simulation control parameter and a first simulation position signal based on the real position instruction and the simulation quantity of state.

It is believed to be an unreasonable stretch to conclude that the two integrators of Koyama provides all of the functionalities noted above. The Examiner is kindly requested to specifically point out how the system disclosed in Koyama can perform these functions by merely using the two integrators and the moment of inertia of the mechanical system.

The pending claims are allowable at least because Koyama does not disclose the combination of elements recited therein.

Further, Yutkowitz which has a filing date August 19, 1999, does not qualify as a prior art to the present application under any sub-sections of 35 U.S.C. § 102. This is because, the present application has a priority date of September 18, 1998 based on JP 10-264336. The Applicants have perfected the priority in this Application. The Examiner has already

Serial No. 09/787,401

Docket No. Q63623

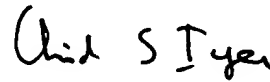
acknowledged the claim for foreign priority and receipt of certified copies of all the priority documents.

**CONCLUSION**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



---

Chid S. Iyer  
Registration No. 43,355

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: August 13, 2003